



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/925,586	08/09/2001	Amado Nassiff	BOC9-2000-0032(178)	2981
40987	7590	01/25/2006		
AKERMAN SENTERFITT P. O. BOX 3188 WEST PALM BEACH, FL 33402-3188			EXAMINER BROADHEAD, BRIAN J	
			ART UNIT	PAPER NUMBER
			3661	
DATE MAILED: 01/25/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/925,586

Applicant(s)

NASSIFF ET AL.

Examiner

Brian J. Broadhead

Art Unit

3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19 and 26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 19 and 26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 19 and 26 are rejected under 35 U.S.C. 112, first paragraph, because the best mode contemplated by the inventor has not been disclosed. Evidence of concealment of the best mode is based upon the lack of disclosure of how to convert the format of the navigation information and what hardware or software used to do the conversion.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 19 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Palomo et al., 6405126, in view of Rennard et al., 6405123, and in further view of Ohmura et al., 2002/0002438.

Palomo et al. disclose a computing device remote from a vehicle on lines 5-7, on column 6; identifying navigation information for at least one destination(102); automatically determining navigation information for the destination, wherein at least a portion of the navigation information includes geographic coordinates for the destination

on lines on lines 18-29, on column 6; storing the navigation information in at least a first memory remote from the vehicle on lines 30-35, on column 6; the location data is stored on a portable storage media, the portable storage media being transferred to the vehicle to transfer the navigation information to the navigation device in the vehicle on lines 60-65, on column 2; transferring the navigation information from the first memory to a navigation device in the vehicle on lines 37-38, on column 6.

Palomo et al. do not disclose the computing device accesses a publicly accessible web site; determining whether a data format of said navigation information conforms to data requirements of said in-vehicle navigation device prior to transferring, and converting the data format to an alternate data format prior to transferring said navigation information if said data format does not conform to data requirements of the in-vehicle navigation device. Rennard et al. teach the identifying step is performed on a web site on lines 4-34, on column 11. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the web site of Rennard et al. in the invention of Palomo et al. because such modification would provide an improved operating environment that allows a user to input complex information through alternative devices ahead of time as stated on lines 15-17, on column 11, of Rennard et al.

Palomo et al. and Rennard et al. do not disclose determining whether a data format of said navigation information conforms to data requirements of said in-vehicle navigation device prior to transferring, and converting the data format to an alternate data format prior to transferring said navigation information if said data format does not

conform to data requirements of the in-vehicle navigation device. Ohmura et al. teaches determining whether a data format of said navigation information conforms to data requirements of said in-vehicle navigation device prior to transferring, and converting the data format to an alternate data format prior to transferring said navigation information if said data format does not conform to data requirements of the in-vehicle navigation device in paragraph 50. It would have been obvious to one of ordinary skill in the art at the time the invention was made to check the format and convert it if necessary because it is instantly obvious. The system wouldn't work and it would be immediately obvious.

Response to Arguments

2. Applicant's arguments filed 9-30-2005 have been fully considered but they are not persuasive. Applicant's argument that the two reference can't be combined because Palomo doesn't require the user to input the destinations and Rennard requires user input is not convincing. First, Palomo on gives the rental car situation as an example. Nothing would prevent a user from using the station at the counter. Second, the claims don't specify one "user" or any specific user is responsible for inputting information. The embodiment on column 22 of Rennard allows sharing of destination information. The rental clerk of Palomo can enter the destinations and then sends them to the rental customer.

Conclusion

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

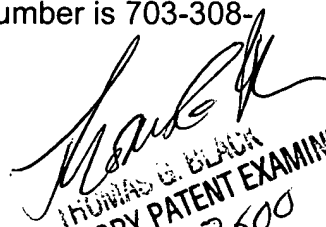
§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian J. Broadhead whose telephone number is 571-272-6957. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on 571-272-6956. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.



THOMAS E. BLACK
SUPERVISORY PATENT EXAMINER
GROUP 3600